COMPLIANCE GUIDANCE

FOR

CALIFORNIA ACCIDENTAL RELEASE PREVENTION PROGRAM (CalARP)

The California Accidental Release Prevention (CalARP) program's main objective is to prevent accidental releases to ambient air of those regulated substances (RS) determined to potentially pose the greatest risk of immediate harm to the public and the environment. The planning activities required by the program are intended to minimize the possibility of an accidental release by encouraging engineering and administrative controls.[1] It is further intended to mitigate the effects of an accidental release, by requiring owners or operators of facilities to develop and implement an accident prevention program. Subsequently, the owner or operator may be required to develop and submit a risk management plan (RMP) to the administering agency.

The CalARP program encompasses both the federal "Risk Management Program", established in the Code of Federal Regulations, Title 40, Part 68, and the State of California program, in accordance with the California Health and Safety Code, Chapter 6.95, Article 2.

Selected Definitions in the CalARP Program:

Administering Agency – the local agency responsible to implement the CalARP Program. The local agency can either be a Certified Unified Program Agency or a Participating Agency, depending on where your facility is located (See the list of Certified Unified Program Agencies and Participating Agencies). In most instances in Los Angeles County area, the administering agency is the Los Angeles County Fire Department.

Owner or operator – any person who owns, leases, operates, controls, or supervises a stationary source.[1]

Person – an individual, corporation, partnership, association, State, municipality, political subdivision of state, and any agency, department, or instrumentality of the United States and any officer, agency, or employee thereof.[2]

Regulated Substance – any substance listed in California Code of Regulations, Title 19, Section 2770.5. The regulated substances list is found in Appendix A.

Risk Management Plan (RMP) – a document that must be a true and accurate reflection of a facility's compliance with all of the risk reduction elements of the CalARP Program.[3] It includes the implementation aspects of accidental release prevention program for that facility.

Stationary source – any buildings, structures, equipment, installations, or substance emitting stationary activities which belongs to the same industrial group, which are located on one or more contiguous properties, which are under a control of the same person, and from which an accidental release may occur.[4]

Who is covered under the CalARP Program?

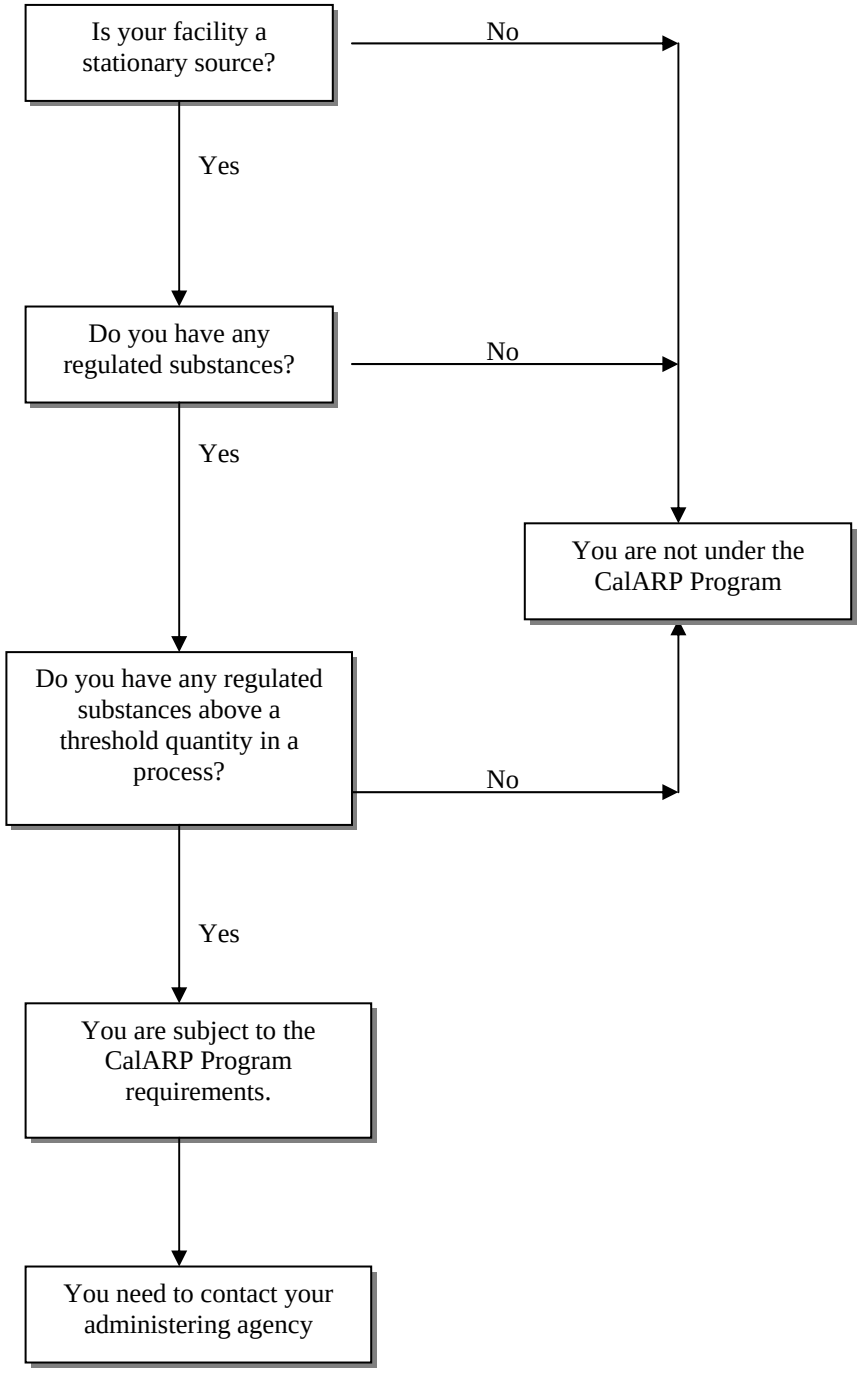
Any owner or operator of a stationary source that has more than a threshold quantity of a regulated substance (RS) in a process would be covered under CalARP Program. (See Appendix A)

[1] USEPA Guidance Document for Risk Management
[2] California Code of Regulations, Title 19, Section 2735.3
[3] OES CalARP Implementing Agency Guidance
[4] California Code of Regulations, Title 19, Section 2735.3

What is considered a process?

Process means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities. A process can involve one or more storage containers, tank farms, plating tanks, reactor vessels, distillation columns, receivers, pumps, waste treatment process, etc.

Exhibit 1
How to Identify Covered Processes



Once it is determined the process is under the CalARP Program, what's the next step?

Owners or operators of stationary source must submit a Regulated Substance Registration form that is found in the Unified Program Forms, to this department. The Unified Program Forms are available online at http://lacofd.org/hhazmat.htm.

If the RS exceeds the quantity in Table 1 or Table 2, the facility is subject to Federal ARP requirements and must submit a copy of RMP to USEPA. In addition, the facility must provide a copy of the RMP with a completed RS Registration to the administering agency.

However, if a facility has an RS that exceeds the quantity in Table 3 but less than Table 1, the facility may be required to submit an RMP along with RS Registration to the administering agency.[5] The administering agency will make a preliminary determination as to whether the handling of an RS has significant likelihood to pose an accident risk. And if the administering agency finds an RMP is required, the owner or operator of a facility would work closely with administering agency to determine the appropriate level of documentation required for an RMP.

Three Program Levels:

The regulations define three Program levels depending upon the complexity, accident history, and potential offsite consequence. Each process is assigned to a program level, which indicates the risk management measures necessary to comply with the regulation for that process, not the facility as a whole.[6]

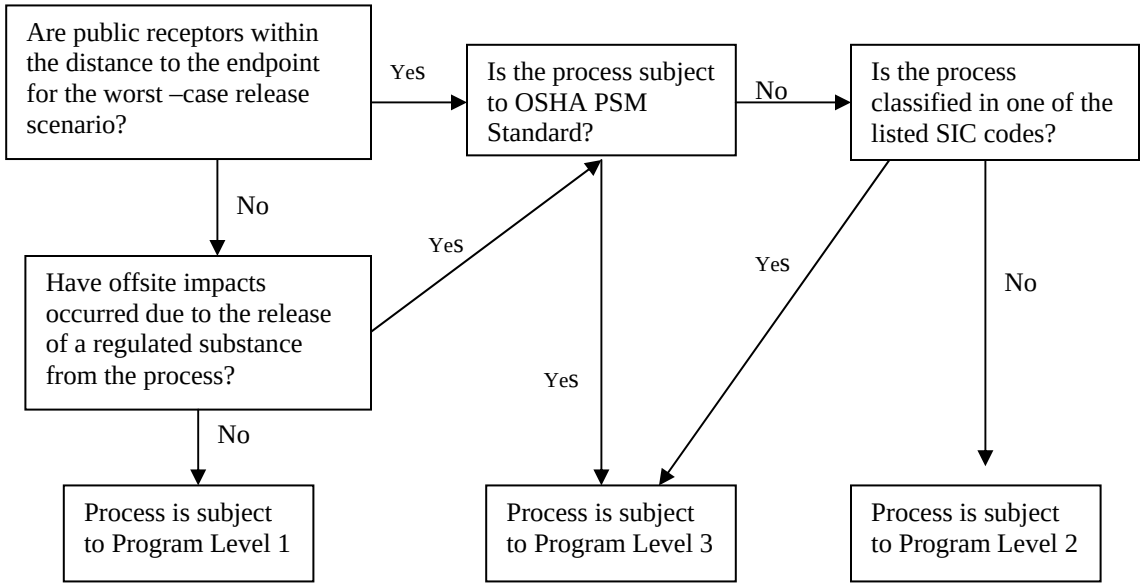
- ✓ **Program Level 1** covers processes that pose comparatively low risks to the public, with no public receptors within the distance to an endpoint from a worst-case release scenario. In addition, the facility must not have had a release of the regulated substance from the process during the past five years.

- ✓ **Program Level 3** typically covers the more complex chemical processes. The process is subject to the OSHA Process Safety Management (PSM) standard, or the stationary source has an accident history, or the process is in Standard Industrial Classification (SIC) Codes 2611, 2812, 2812, 2819, 2865, 2869, 2873, 2879, or 2911. Program Level 3 processes are primarily located at medium to large manufacturing facilities, petroleum refineries, facilities with large refrigeration systems, utilities, and publicly owned drinking water or wastewater treatment plants.[7]

- ✓ **Program Level 2** covers processes that do not meet the Program Level 1 and Program Level 3 requirements. The processes typically have less complex processes than program Level 3.

[5] OES CalARP Implementing Agency Guidance
[6] USEPA Guidance Document for Risk Management Programs
[7] OES CalARP Implementing Agency Guidance

Program Level Assignment



Once the program level is identified, determine the level of documentation required in the RMP. The five-year accident history and the worst-case release scenario are required regardless of the program levels of the processes involved. Furthermore, only one RMP needs to be submitted for all the processes. Requirements for each program level are summarized as follow:

PROGRAM REQUIREMENTS[8]

Program 1	Program 2	Program 3
Worst-case release analysis	Worst-case release analysis	Worst-case release analysis
	Alternative release analysis	Alternative release analysis
5-year accident history	5-year accident history	5-year accident history
	Document management system	Document management system
Prevention Program		
Certify no additional prevention steps needed	Safety Information	Process Safety Information
	Hazard Review	Process Hazard Analysis
	Operating Procedures	Operating Procedures
	Training	Training
	Maintenance	Mechanical Integrity
	Incident Investigation	Incident Investigation
	Compliance Audit	Compliance Audit
		Management of Change
		Pre-Startup Review
		Contractors
		Employee Participation
		Hot Work Permits
Emergency Response Program		
Coordinate with local emergency responders	Develop plan and program (if applicable) and coordinate with local emergency responders	Develop plan and program (if applicable) and coordinate with local emergency responders

[9] USEPA Guidance Document for Risk Management Programs

The following table[9] serves as a guide on submission requirements:

Over Table 1 or 2 Threshold Quantity	Over Table 3 Threshold Quantity	Type of Facility	Submission To:	Timeframe
Yes	Yes or No	Existing	USEPA and AA	RMP was due by 6/21/99. If RMP was not submitted, the facility is out of compliance.
Yes	Yes or No	New or Modified	USEPA and AA	Before the threshold quantity of the chemical is in the process.
No	Yes	Updates	AA only	12-36 months after the AA determines an RMP is required
No	Yes	New or Modified	AA only	Before the threshold quantity of the chemical is used in the process

Components in RMP are extensively discussed in USEPA Guidance Document for Risk Management Program. The following resources are tools how to develop and implement the RMP:

Federal Code of Regulations, Title 40, Part 68	http://www.access.gpo.gov/nara/cfr/cfrhtml_00/Title_40/40cfr68_00.html
California Health and Safety Code, Sections 25531-25543.3	http://www.leginfo.ca.gov
California Code of Regulations, Title 19, Sections 2735.1-2785.1	http://www.calregs.com
USEPA Guidance Document	http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/EPAguidance.htm
Governor's Office of Emergency Services	http://www.oes.ca.gov/Operational/OESHome.nsf/1?OpenForm
Guidance California for California Accidental Release Prevention (CalARP) Program Seismic Assessments	http://calcupa.net/programs/calarp/index.html

[9] OES CalARP Implementing Agency Guidance